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*\*See signature page for complete list*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

AVOCENT HUNTSVILLE, LLC, an  
Alabama corporation,

Plaintiff,

v.

ZPE SYSTEMS, INC., a California  
corporation,

Defendant.

Case No. 3:17-cv-04319-WHO

**JOINT STIPULATION AND ORDER  
FOR DISMISSAL**

Lead consolidated case

Judge: Hon. William H. Orrick

AVOCENT CORPORATION and  
AVOCENT HUNTSVILLE, LLC,

Plaintiffs,

v.

ZPE SYSTEMS INC.; ARNALDO  
ZIMMERMANN; LIVIO CECI, and  
FICTITIOUS DEFENDANTS A THROUGH  
M,

Defendants.

Case No. 3:18-cv-06556-WHO

1 Plaintiffs Avocent Huntsville, LLC and Avocent Corporation (collectively, “Avocent”)  
2 and Defendants ZPE Systems, Inc. (“ZPE”), Arnaldo Zimmerman, and Livio Ceci (collectively,  
3 “Defendants”), parties to the above consolidated Actions, acting through counsel, and pursuant to  
4 Federal Rule of Civil Procedure 41(a)(1)(A)(ii), hereby stipulate to the dismissal WITH  
5 PREJUDICE of all claims and counterclaims stated herein against all parties, except ZPE’s  
6 counterclaims for declaratory judgment of invalidity and unenforceability of the asserted patents  
7 (Dkt. 148, Counts III-IV), which shall be dismissed WITHOUT PREJUDICE.

8 Each party will bear its own costs and attorneys’ fees incurred in connection with the  
9 Actions.

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11  
12 Dated: February 12, 2019

ROBINS KAPLAN LLP

13 By: /s/ Christopher K. Larus  
Christopher K. Larus

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Dated: February 12, 2019

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**FILER'S ATTESTATION (Civil L.R. 5-1(i)(3))**

I, Christopher K. Larus, hereby attest that concurrence in the filing of this document has been obtained from all signatories. Executed February 12, 2019, in Minneapolis, Minnesota.

/s/ Christopher K. Larus

**ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: February 19, 2019

  
\_\_\_\_\_  
HON. WILLIAM H. ORRICK  
UNITED STATES DISTRICT JUDGE